

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nils Griebenow

Application No.: 10/588,862
Assigned Patent No. 7,589,195
To be issued: September 15, 2009

Confirmation No.: 4070

Filed: June 19, 2007

Art Unit: 1611

For: TETRAHYDROBENZO(D)AZEPIN-2-ONE
DERIVATIVES AND THE USE THEREOF
FOR TREATING CARDIOVASCULAR
DISEASES

Examiner: K. Klinkel

Office of Petitions (37 C. F. R. § 1.313(c)(2) petition)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF ELECTRONIC FILING

Date of Electronic Transmission: September 11, 2009

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 CFR 1.6(a)(4):

/Gabriel J. McCool/
Signature of Person Transmitting Paper

**PETITION TO WITHDRAW FROM ISSUE UNDER
37 C.F.R. § 1.313(c)(2) SUBSEQUENT TO PAYMENT OF ISSUE FEE**

Dear Commissioner:

The issue fee for this application was previously paid on August 4, 2009. According to the Issue Notification, this application will issue as U.S. Patent No. 7,589,195 on **September 15, 2009**.

By this submission, Applicants hereby petition for the withdrawal of this application from issue pursuant to 37 C.F.R. § 1.313(c)(2), which requires:

- (a) a request for examination in compliance with 37 C. F. R. § 1.114; and
- (b) the fee set forth 37 C.F.R. § 1.17(h).

These requirements are believed to be satisfied by this submission.

REQUEST UNDER 37 C.F.R. § 1.313(c)(2)

Pursuant to the requirements of 37 C.F.R. § 1.313(c)(2), Applicants hereby submit a Request for Continued Examination (RCE) in compliance with 37 C.F.R. § 1.114. This RCE is further being submitted together with an Information Disclosure Statement and references for consideration in this application, which is believed to constitute “a submission” under 37 C.F.R. §1.114(a). The requisite fee under 37 C.F.R. §1.17(e) for the RCE filing is authorized below.

PETITION FEES

The Commissioner is authorized to charge any fee(s) required by this submission to our Deposit Account No. 04-1105 under Reference No. 81927US(303989), including but not limited to, the petition fee under 37 C.F.R. Section 1.17(h) in the amount of \$130.00, and the fee under 37 C.F.R. Section 1.17(e) for the RCE in the amount of \$810.00.

CONCLUSION

Applicants respectfully request review and discussion on the petition prior to issuance of September 15, 2009 so that the RCE and Information Disclosure Statement being submitted by this same date may be considered. Prompt issuance of a Notice of Allowance is respectfully requested. The Office is invited to contact the undersigned in the event there is any impediment to allowance.

Dated: September 11, 2009

Respectfully submitted,

/Gabriel J. McCool/

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